



2122  
PATENT  
Customer No. 22,852  
Attorney Docket No. 06502.0230-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Michael BOUCHER ) Group Art Unit: 2122  
Application No.: 09/628,694 ) Examiner: K. Gross  
Filed: July 28, 2000 ) Confirmation No.: 3427  
For: METHODS AND APPARATUS )  
FOR COMPILING COMPUTER )  
PROGRAMS USING PARTIAL )  
FUNCTION INLINING )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00 as specified by Section 1.17(p).

The listed documents include published U.S. patent documents and one non-patent literature document. Applicant is not providing copies of the published U.S. patent documents. The non-patent literature document was cited in a foreign Search Report for European Application No. EP 00 40 0302. Although two other documents

were also cited in the report, those documents were already cited art in this application. A copy of the one non-patent literature document and foreign search report is provided.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claims in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: October 29, 2004

By: 

Joseph E. Palys  
Reg. No. 46,508

IDS Form PTO/SB/08: Substitute for form 1449A/PTO  <div style="text-align: center; font-weight: bold; font-size: 1.2em;">           INFORMATION DISCLOSURE STATEMENT BY APPLICANT         </div> <div style="text-align: center; font-size: 0.8em;"> <i>(Use as many sheets as necessary)</i> </div>				Complete if Known	
Application Number		09/628,694			
Filing Date		July 28, 2000			
First Named Inventor		Michael BOUCHER			
Art Unit		2122			
Examiner Name		K. Gross			
Attorney Docket Number		06502.0230-00			
Sheet	1	of	1		

OIPE  
 OCT 29 2004  
 PATENT & TRADEMARK OFFICE

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-5,497,458	03-05-1996	Finch et al.	
		US-5,754,820	05-19-1998	Yamagami	
		US-5,974,510	10-26-1999	Cheng et al.	
		US-6,173,368	01-09-2001	Krueger et al.	
		US-6,574,725	06-03-2003	Kranich et al.	
		US-6,684,296	01-27-2004	Hayter et al.	

**Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004**

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation <sup>6</sup>
		POUL-HENNING KAMP, "Malloc(3) in Modern Virtual Memory Environments," XP-002283869, FreeBSD.org on-line document, Revised Fri Apr 5 12:50:07 1996, pp. 1-7.	

Examiner Signature	Date Considered
--------------------	-----------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.